

REMARKS/ARGUMENTS

Claims 11-30 are pending. These claims track and find support in the original claims and specification. Specific support is found as follows: Claim 11 (Claims 1 and 5, page 3, lines 7-9), Claims 12-18 (Claim 3, page 3, lines 14-18), Claims 19-24 (Claim 4, page 1, lines 20-29, page 4, first paragraph), Claims 25-26 (page 6, lines 17-18), Claims 27-29 (page 5, lines 16-18), Claim 30 (Claim 8, page 4, lines 10-14). Accordingly, the Applicants do not believe that any new matter has been added.

Rejection—35 U.S.C. §112, second paragraph

Claims 7-10 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite. This rejection is moot and would not apply to the present claims which do not employ the term “effective amount”.

Rejection—35 U.S.C. §112, first paragraph

Claims 7 and 9 were rejected under 35 U.S.C. 112, first paragraph, as lacking enablement for “prevention”. This rejection is moot in view of the cancellation of these claims. This rejection would not apply to the present claims which are directed to treatment of neurodegenerative diseases, including traumatic diseases such as head trauma. Neurotrophic factors are considered to play a large part in the differentiation, elongation of the axon, synapse formation and survival and functional maintenance of nerve cells (specification, page 1, lines 15-18). Thus, induction of these factors, as exemplified in the present specification, ameliorates neurodegenerative diseases, including Parkinson’s disease (Example 2, page 8) and spinal injury (Example 3, page 10). Accordingly, this rejection would not apply to the present claims.

Conclusion

In view of the above amendments and remarks, the Applicants respectfully submit that this application is now in condition for allowance. An early notification of allowance is earnestly requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon


Thomas M. Cunningham, Ph.D.
Registration No. 45,394

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)